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MAILED

JUL 09 2010

In re Application of	:	OFFICE OF PETITIONS
Gil et al.	:	
Application No. 10/531,271	:	ON PETITION
Filed: July 13, 2005	:	
Attorney Docket No. 26706U	:	

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed April 5, 2010 (supplemented on April 6, 2010), to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and the requisite submission under 37 CFR 1.114, along with a Sequence Listing, (2) the petition fee of \$810.00, and (3) a proper statement of unintentional delay.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$555.00 extension of time fee submitted with the petition was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account as authorized.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.

This matter is being referred to Technology Center AU 1634 for further processing of the RCE under 37 CFR 1.114.

Liana Walsh
Petitions Examiner
Office of Petitions